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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/092,006

03/06/2002

Naoto Watanabe

CANO:044

7580

7590

12/30/2005

ROSSI & ASSOCIATES

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EXAMINER

KHATRI, ANIL

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,006

Applicant(s)

WATANABE ET AL.

Examiner

Anil Khatri

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12 and 14-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The modifications with respect to claims 1, 11, 21, 27, 30 and 31 required further search and consideration therefore, the arguments with respect to claims 1-2, 4-12 and 14-31 are in moot and new ground of rejection applies.

As per applicant's request claims 3 and 13 have been canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-12 and 14-31 are rejected under 35 U.S.C. 102(b) as being anticipated by *Takahashi* USPN 6, 697, 167.

Regarding claims 1, 11, 21, 27, 30 and 31

Takahashi teaches,

first CPU that has operation thereof controlled by a first control program (column 11, lines 36-40, “the first control... forming apparatus”);

second CPU that has operation thereof controlled by a second control program (column 14, lines 8-12, “the second control...process”);

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first storage means that is rewriteable is removable from the program operating apparatus and storing the first control program, the second control program, and a write control program, the first control program stored in first storage means controlling operation of first CPU in a normal mode (column 21, lines 25-28, “automatic... rewritable memory”);

second storage means capable of storing the second control program (columns 16-17, lines 65-67, “to restate...can be formed”);and

write control means operable when a mode of the apparatus is switched to a write control mode in which the second control program stored in first storage means is written to second storage means, for executing write control comprising transferring the write control program stored in first storage means from first storage means to second CPU, and causing said second CPU to write the second operable when a mode of the to a write control mode in which control program stored in first storage means said second storage means (figure 21, column 19, lines 43-57, “the control for switching...being executed”).

Regarding claims 2, 12, 16 and 22

Takahashi teaches,

write control means is operable when the mode of the apparatus switched to the write control mode, for transferring the write control program for executing a process of writing the second control program to said second storage means to a storage area accessible by said second CPU, and causing second CPU to execute the write control program to thereby the second control program stored in first storage to second storage (column 16, lines 18-25, “the first control...reassumed”, figure 21, column 19, lines 43-57, “the control for switching...being executed”).

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Regarding claims 4, 5, 14 and 15

Takahashi teaches,

Second storage means comprises a re-write able non-volatile storage medium (column 21, lines 25-28, “automatic... rewritable memory”);

Regarding claim 6

Takahashi teaches,

Switching means for switching between normal control mode in which normal control of the apparatus is carried out and the write control mode (column 19, lines 43-57, “the control for switching... being executed”).

Regarding claims 7, 9, 17, 19, 23, 24, 28 and 29

Takahashi teaches,

Which is applicable to an image forming apparatus for forming images on sheets (column 23, lines 61-67 and column 24 lines 1-19).

Regarding claims 8, 10, 18, 20, 25 and 26

Takahashi teaches,

Image forming apparatus comprises a main body and at least one functional unit and wherein first CPU controls basic operation of main body of image forming apparatus and second CPU controls operations of least one functional unit (column 11, lines 46-56, “at that time CPU... in figure 11”).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3725.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANIL KHATRI
PRIMARY EXAMINER**